THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.6946 OF 2006

DATED: 01-02-2007

BETWEEN

Gurajala Durgaiah, S/o Late G. Lingaiah,
Occ: Agriculture, R/o. H.No.18-90,
Chittaramma Nagar, Moosapet,
Balanagar Mandal, Ranga Reddy District.

...PETITIONER

AND

The Station House Officer,
Kukatpally, Hyderabad and others.

...RESPONDENTS

ORDER:

This writ petition has been filed seeking a Writ of Mandamus to declare the inaction of the respondents in not taking action on the petitioner's complaint dated 18.03.2006 as illegal and arbitrary.

2. It is the case of the petitioner that though on a complaint previously lodged by him a case in Cr.No.1111 of 2005 was registered for the offence under Sections 447 and 427 of the Indian Penal Code, 1860, the investigation is still pending and that when a complaint dated 18.03.2006 has been lodged with the self same reasons relating to the land admeasuring 14 acres in Sy.No.893, no action has been taken.

3. Counter has been filed by the first respondent stating that the second complaint was lodged with contents similar to those of the previous complaint; therefore, no action has been initiated on the said complaint.

4. If that be so, it is always open for the petitioner to file a private complaint before the concerned Magistrate for registering the second complaint and if any report is filed by the police against

the interest of the petitioner after completing investigation in the earlier complaint it is also open to him to file a protest application In view of the alternative remedy available to the petitioner no direction can be issued in this writ petition.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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V. ESWARAIAH, J

February 1, 2007
DSK